

House File 22 - Introduced

HOUSE FILE _____
BY WHITAKER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the definition of resident for purposes of
2 tuition and fees for qualified veterans at Iowa's public
3 universities and community colleges and for programs
4 administered by the college student aid commission, and
5 establishing a veterans educational assistance council.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 1029HH 83
8 kh/nh/8

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1 1 Section 1. NEW SECTION. 35A.18 VETERANS EDUCATIONAL
1 2 ASSISTANCE COUNCIL.
1 3 1. A veterans educational assistance council is
1 4 established within the department for purposes of advising
1 5 veterans throughout the United States about the educational
1 6 opportunities and student support services available to
1 7 veterans who meet the residency requirements of the state's
1 8 public postsecondary educational institutions. The council
1 9 shall do all of the following:
1 10 a. Identify resources which can be used to advise veterans
1 11 throughout the United States about the educational
1 12 opportunities and services available in this state, and work
1 13 to improve the quality and quantity of educational
1 14 opportunities and student support services for veterans. The
1 15 council shall assess the availability of and need for
1 16 resources, educational opportunities, and student support
1 17 services, and shall submit its findings and recommendations
1 18 relating to potential and available resources, student support
1 19 services, and educational opportunities for qualified veterans
1 20 and their families in an annual report to the general assembly
1 21 and the governor by January 15.
1 22 b. Work with the state's public universities and community
1 23 colleges and with the American council on education to ensure
1 24 that each public postsecondary educational institution in the
1 25 state is a member of the servicemembers opportunity colleges
1 26 consortium.
1 27 2. The council shall consist of seven voting members
1 28 appointed by the governor to six-year terms beginning on July
1 29 1 of the year of appointment. However, the governor shall
1 30 initially appoint two voting members for two-year terms, two
1 31 voting members for four-year terms, and three voting members
1 32 for six-year terms. No member shall serve more than two
1 33 consecutive six-year terms. The council shall elect from
1 34 among its members a chairperson and vice chairperson who shall
1 35 serve for two-year terms and may be reelected. Vacancies on
2 1 the council shall be filled for the unexpired portion of the
2 2 term in the same manner as regular appointments are made.
2 3 3. In addition to the members appointed by the governor,
2 4 the director of the department, the adjutant general, the
2 5 chairperson of the state board of regents, and the director of
2 6 the department of education shall serve as nonvoting, ex
2 7 officio members of the council.
2 8 Sec. 2. Section 260C.14, subsection 14, Code 2009, is
2 9 amended to read as follows:
2 10 14. a. In its discretion, adopt rules relating to the
2 11 classification of students enrolled in the community college
2 12 who are residents of Iowa's sister states as residents or
2 13 nonresidents for tuition and fee purposes.
2 14 b. Adopt rules to classify qualified veterans and
2 15 qualified veterans' spouses and dependent children as
2 16 residents for purposes of tuition and fees. A spouse or
2 17 dependent child of a veteran shall not be deemed a resident

2 18 under this paragraph "b" unless the veteran meets all of the
2 19 requirements of subparagraph (2).

2 20 (1) For purposes of this paragraph "b", "dependent child"
2 21 means a student who was claimed by a qualified veteran as a
2 22 dependent on the qualified veteran's internal revenue service
2 23 tax filing for the previous tax year.

2 24 (2) For purposes of this paragraph "b", "qualified
2 25 veteran" means a person who meets the following requirements:

2 26 (a) Is eligible for benefits under the federal "Post-9/11
2 27 Veterans Educational Assistance Act of 2008".

2 28 (b) Is domiciled in this state during the veteran's course
2 29 of study at the community college.

2 30 (c) Accepts, during the veteran's course of study at the
2 31 community college, a community service position approved by
2 32 the president of the community college; or participates in an
2 33 internship or cooperative program established by the president
2 34 of the community college or by the community college in which
2 35 the veteran is enrolled.

3 1 Sec. 3. Section 261.2, Code 2009, is amended by adding the
3 2 following new subsection:

3 3 **NEW SUBSECTION.** 10. Adopt rules defining "resident" for
3 4 purposes of this chapter. The definition adopted by rule
3 5 shall include but not be limited to a qualified veteran and
3 6 the qualified veteran's spouse and dependent children as
3 7 defined for purposes of section 260C.14, subsection 14,
3 8 paragraph "b", or section 262.9, subsection 16, paragraph "b".

3 9 Sec. 4. Section 262.9, subsection 16, Code 2009, is
3 10 amended to read as follows:

3 11 16. a. In its discretion, adopt rules relating to the
3 12 classification of students enrolled in institutions of higher
3 13 education under the board who are residents of Iowa's sister
3 14 states as residents or nonresidents for fee purposes.

3 15 b. Adopt rules to classify qualified veterans and
3 16 qualified veterans' spouses and dependent children as

3 17 residents for purposes of tuition and fees. A spouse or
3 18 dependent child of a veteran shall not be deemed a resident
3 19 under this paragraph "b" unless the veteran meets all of the
3 20 requirements of subparagraph (2).

3 21 (1) For purposes of this paragraph "b", "dependent child"
3 22 means a student who was claimed by the qualified veteran as a
3 23 dependent on the qualified veteran's internal revenue service
3 24 tax filing for the previous tax year.

3 25 (2) For purposes of this paragraph "b", "qualified
3 26 veteran" means a person who meets the following requirements:

3 27 (a) Is eligible for benefits under the federal "Post-9/11
3 28 Veterans Educational Assistance Act of 2008".

3 29 (b) Is domiciled in this state during the veteran's course
3 30 of study at the institution of enrollment.

3 31 (c) Accepts, during the veteran's course of study at the
3 32 institution of enrollment, a community service position
3 33 approved by the president of the institution; or participates
3 34 in an internship or cooperative program established by the
3 35 president of the institution or by the college or institution

4 1 in which the veteran is enrolled.

4 2 **EXPLANATION**

4 3 This bill requires the state board of regents and the
4 4 boards of directors of the state's community colleges to adopt
4 5 rules that classify qualified military veterans and their
4 6 spouses and dependent children as residents for purposes of
4 7 tuition and fees, establishes a veterans educational
4 8 assistance council to advise veterans throughout the country
4 9 about the educational opportunities and student support
4 10 services available to veterans in this state, and requires the
4 11 college student aid commission to include in its definition of
4 12 resident a qualified veteran and the qualified veteran's
4 13 spouse and dependent children.

4 14 The bill defines "qualified veteran" to mean a person who
4 15 is eligible for benefits under the federal Post-9/11 Veterans
4 16 Educational Assistance Act of 2008, is domiciled in this state
4 17 while at a public postsecondary educational institution in
4 18 Iowa, and accepts a community service position or participates
4 19 in an internship or cooperative program. The veteran must
4 20 fulfill all of these requirements in order for the spouse or
4 21 dependent child to be eligible for status as a resident.

4 22 The veterans educational assistance council is established
4 23 within the department of veterans affairs and is comprised of
4 24 seven voting and four nonvoting, ex officio members. The
4 25 council is charged with identifying resources that can be used
4 26 to advise veterans throughout the United States about the
4 27 educational opportunities and services available in this
4 28 state, and working to improve the quality and quantity of

4 29 educational opportunities and student support services for
4 30 veterans. The council is directed to assess the availability
4 31 of and need for resources, educational opportunities, and
4 32 student support services, and shall submit its findings and
4 33 recommendations in an annual report to the General Assembly
4 34 and the Governor by January 15.

4 35 In addition, the council is directed to work with the
5 1 state's public postsecondary educational institutions and the
5 2 American council on education to ensure that each institution
5 3 is a member of the servicemembers opportunity colleges
5 4 consortium. The consortium consists of colleges and
5 5 universities that provide educational opportunities for
5 6 servicemembers and their families and its member colleges
5 7 agree to accept each other's credits in transfer.

5 8 The college student aid commission is directed to include
5 9 qualified veterans, their spouses, and dependent children
5 10 within its definition of resident, in order that they qualify
5 11 for the scholarship, grant, and loan programs administered by
5 12 the commission.

5 13 The bill may create a state mandate as provided in Code
5 14 chapter 25B.

5 15 LSB 1029HH 83

5 16 kh/nh/8.1